

## REMARKS

These remarks are responsive to the Office Action dated February 19, 2003. Currently, claims 1-77 are pending with claims 1, 34, 56, and 73 being independent. Claims 1, 34, 56, and 73 have been amended. The support for these amendments is found in the specification on pages 3, line 17 through page 10, line 35.

In the Office Action, dated February 19, 2003, the Examiner rejected claim 73 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,233,318 to Picard *et al.* (hereinafter "Picard"). This rejection is respectfully traversed.

In the Office Action, dated February 19, 2003, the Examiner rejected claims 1, 2, 16, 21, 23, 32, 34, 43, 56, 57, 66, and 71 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,252,588 to Dawson (hereinafter "Dawson"). This rejection is respectfully traversed.

In the Office Action, dated February 19, 2003, the Examiner rejected claims 1, 2, 5-22, 24-31, 33, 34, 36-54, 56, 57, 60-70, 72-77 under 35 U.S.C. 103(a) as being unpatentable in view of U.S. Patent No. 5,568,540 to Greco *et al.* (hereinafter "Greco") in view of Dawson and in further view of various combinations with one of Picard, U.S. Patent No. 5,907,604 to Hsu (hereinafter "Hsu"), U.S. Patent No. 5,651,054 to Dunn (hereinafter "Dunn"), U.S. Patent No. 6,038,296 to Brunson *et al.* (hereinafter "Brunson"). These rejections are respectfully traversed.

In the Office Action, dated February 19, 2003, the Examiner rejected claims 1, 3, 4, 34, 35, 50-56, 58, 59, and 73 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,724,412 to Srinivasan (hereinafter "Srinivasan") in view of U.S. Patent No. 6,317,757 to Sakamaki (hereinafter "Sakamaki"). This rejection is respectfully traversed.

35 U.S.C. 102(e)

In the February 19, 2003 Office Action, the Examiner rejected claim 73 under 35 U.S.C. 102(e) as being anticipated by Picard. This rejection is traversed.

In the February 19, 2003 Office Action, the Examiner stated that Picard teaches every element of claim 73.

Amended claim 73 of the present Application recites a method of indicating receipt of a stored message from a source, where the method includes the step of generating an information signal relating the stored message to at least one of: (i) a graphical image associated with the source; and (ii) a digital representation of a sound waveform associated with the source. The information signal is then transmitted to a communication device that is associated with the addressee's device to indicate the receipt of the stored message.

Picard discloses a system for accessing multimedia mailboxes and messages over the internet and via telephone. More specifically, Picard describes an integrated mailbox where user can access and review received messages. The system is capable of notifying the user of a received message. (See, Col. 3, lines 50-51). The messages are stored in user's mailbox and when the user is ready to review them, the user logs in to the mailbox and while in the mailbox, the system can identify each message by speaking the message sender's name or mailbox number by accessing the sender's name announcement stored on the system. (See, Col. 7, lines 13-19 and 29-45; Col. 18, lines 35-42). However, Picard does not describe a method for notifying the user of a received message by means of generating an information signal associated

with the received stored message, where the information signal is either audio or video signal, as recited in claim 73.

Furthermore, Picard does not describe transmitting the information signal, once the signal is generated, to a communications device, which notifies the user of a stored message using the generated information signal. In Picard, each message that the user reviews, while the user is in her mailbox, is aurally identified by the system. However, Picard does not provide a mechanism for informing the user of a receipt of a stored message.

In addition, in the February 19, 2003 Office Action, the Examiner seems to equate a concept of announcing sender's name to the message recipient, as disclosed in Picard, with recitation of claim 73 of "transmitting the information signal to a communications device associated with an addressee of the stored message." However, announcing a sender's name does not entail a communications device. Thus, no transmission to communication device occurs. The Examiner is also equating recited information signal with Picard's announcement of sender's name. However, claim 73 actually states: generating an information signal relating the stored message to at least one of: (i) graphical image associated with the source; and (ii) a digital representation of a sound waveform associated with the source." Thus, even if Picard's digital announcement of sender's name is analogous to digital representation of a sound waveform associated with the source, this is not the same as the information signal recited in claim 73. Furthermore, because the information signal is not disclosed in Picard, the transmission of the information signal is also not described.

According to MPEP § 2131:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a

single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Therefore, claim 73 is not anticipated by Picard. The Examiner is respectfully requested to reconsider and withdraw his rejection of claim 73.

In the Office Action, dated February 19, 2003, the Examiner rejected claim 1 under 35 U.S.C. 102(e) as being anticipated by Dawson. This rejection is traversed.

In the February 19, 2003 Office Action, the Examiner stated that Dawson discloses every element of claim 1.

Amended claim 1 of the present Application recites a method of indicating a receipt of a stored message from a source. The method includes generating an information signal relating to the stored message to at least one graphical image associated with the source and then transmitting the information signal to a communications device associated with an addressee of the stored message to indicate receipt of the stored message.

Dawson discloses a method and apparatus for providing an audio-visual email system. More specifically, Dawson allows a user to identify the email by looking at a thumbnail picture of the sender instead of trying to figure out who the sender is by looking at an email address or reading the actual email. (See, Col. 9, lines 49-52). Furthermore, while in her mailbox, the user views a list of thumbnail pictures associated with senders of different emails. By highlighting a particular thumbnail picture, the user opens an email and reads it. (See, Col. 16, lines 56-67). However, Dawson does not disclose a method of indicating receipt of a stored message from a sender, where the method includes generation of a signal associated with the stored message and transmission of the signal to indicate receipt of the stored message. Instead, Dawson discloses a

system that allows a user to visually identify the source of the email message. Dawson also does not generate an information signal relating the stored message that indicates the source of the message in a form of at least one graphical image, as recited by claim 1. The system in Dawson presents user with the array of thumbnail pictures associated with senders of the messages without generating a signal that indicates the source.

Furthermore, Dawson does not describe transmission of the information signal that shows the source of the message, which indicates the receipt of the message. Dawson's mailbox includes a screen, where all the thumbnail pictures are displayed at the bottom of the screen and the user is able to view the actual message in the top portion of the screen. However, Dawson does not allow a user to be alerted to a receipt of a stored message by means of an information signal transmitted by the system.

Therefore according to MPEP § 2131 quoted above, amended claim 1 is not anticipated by Dawson. The Examiner is respectfully requested to reconsider and withdraw his rejection of claim 1.

Amended claims 34 and 56 are not anticipated by Dawson for at least the same reasons presented above with respect to amended claim 1. Therefore, rejection of claims 34 and 56 is traversed. The Examiner is respectfully requested to reconsider and withdraw his rejection of claims 34 and 56.

Claims 2, 16, 21, 23, 32, 43, 57, 66, and 71 are dependent on respective independent claims 1, 34 and 56. As such, claims 2, 16, 21, 23, 32, 43, 57, 66, and 71 are not anticipated by Dawson for at least the same reasons presented above with respect to claim 1. Therefore, rejection of claims 2, 16, 21, 23, 32, 43, 57, 66, and 71 is traversed. The Examiner is

respectfully requested to reconsider and withdraw his rejection of claims 2, 16, 21, 23, 32, 43, 57, 66, and 71.

35 U.S.C. 103(a)

In the Office Action, dated February 19, 2003, the Examiner rejected claim 1 under 35 U.S.C. 103(a) as being unpatentable over Greco in view of Dawson. This rejection is traversed.

The Examiner stated that Greco teaches all elements of claim 1 except that it fails to teach including a graphical image in the information signal.

The Applicants respectfully point out to the Examiner that Greco also fails to teach a method of indicating a receipt of a stored message from a source, where the method includes transmitting an information signal to a communications device associated with an addressee of the stored message to indicate the receipt of the stored message, as recited in the amended claim 1.

Amended claim 1 recites a method for indicating a receipt of a stored message from a source. The method includes first generating an information signal that relates the stored message to at least one graphical image associated with the sending source. After generating the information signal, the signal is transmitted to a communications device, associated with the intended recipient of the message. The communications device, in turn, alerts the recipient using the information signal that the message was stored. Greco, on the other hand, teaches a method and an apparatus for selecting and playing a voice mail message, where a processor records a new voice mail message and displays appropriate information relating to the message for the user to read. (See, Col. 3, lines 63-67). Furthermore, Greco discloses a mechanism for displaying the

messages according to the specific user preferences (such as subject, sender's name, type of message, etc.). (See, Col. 4, lines 45-51 and 57-59). However, Greco fails to indicate to the recipient that the message was stored by alerting the user with a transmitted information signal. Furthermore, a graphical image, enclosed with the information signal, is transmitted to alert the user of a message. Greco's processor provides a convenient way for a user to select and play specific voice mail messages, but does not provide for graphically alerting the user of the new messages being stored in user's mailbox. Therefore, the processor described in Greco cannot be used for indicating receipt of a stored message, as recited in the amended claim 1.

Dawson describes a graphical user mailbox that identifies senders' messages using sender specific thumbnails. (See, Col. 9, lines 49-52 and Col. 20, lines 51-66). Dawson's mailbox allows user to set up various mailbox options that help user identify senders of messages (See, Col. 20, lines 51-66). Such options can include visual identification, audio-visual identification, as well as, creating audio-visual address book that assists recipient of messages to reply to senders using stored images and voice recordings that identify particular senders. However, Dawson fails to teach a method for notifying a user of a receipt of a stored message by transmitting an information signal, which includes a graphical representation associated with the sender, to alert the user of the receipt of the stored message, as recited in the amended claim 1. Accordingly, neither Greco nor Dawson teach or suggest every element of claim 1 and, therefore, claim 1 should be allowed.

Even if one to combine Greco and Dawson, the combination does not realize the invention of claim 1. The combination of Greco and Dawson results in the system and method for selecting and viewing voice mail and e-mail messages based on graphical or audio-visual

identifications associated with the messages. However, the combination fails to teach or suggest a method for notifying a user of a stored message from a source that includes transmitting an information signal, containing a graphical representation associated with the sender or the source of the message, to alert the user of a receipt of a message, as recited in the amended claim 1.

According to MPEP § 2143:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

The combination of Greco and Dawson does not support a *prima facie* case of obviousness, as suggested by the Examiner. The Examiner is respectfully requested to reconsider and withdraw his rejection of claim 1.

Claims 34, 56, and 73 are not obvious in light of the combination of Greco and Dawson for at least the same reasons presented above with respect to amended claim 1. Therefore, rejection of claims 34, 56, and 73 is traversed. The Examiner is respectfully requested to reconsider and withdraw his rejection of claims 34, 56, and 73.

Claims 2, 5-22, 31, 36-46, 48, 50-54, 57, 60-67, and 74 are dependent on respective independent claims 1, 34, 56, and 73. As such, claims 2, 5-22, 31, 36-46, 48, 50-54, 57, 60-67, and 74 are not obvious in light of the combination of Greco and Dawson for at least the same reasons presented above with respect to claim 1. Therefore, rejection of claims 2, 5-22, 31, 36-



46, 48, 50-54, 57, 60-67, and 74 is traversed. The Examiner is respectfully requested to reconsider and withdraw his rejection of claims 2, 5-22, 31, 36-46, 48, 50-54, 57, 60-67, and 74.

In the February 19, 2003 Office Action, the Examiner rejected claims 24-30, 33, 47, 49, 68-70, 72, 75-77 under 35 U.S.C. 103(a) as being unpatentable over Greco in view of Dawson and in further view of various combinations with one of Picard, Hsu, Dunn, and Brunson. Claims 24-30, 33, 47, 49, 68-70, 72, 75-77 are dependent on respective independent claims 1, 34, 56, and 73. As such, claims 24-30, 33, 47, 49, 68-70, 72, 75-77 are not obvious in light of the combination of Greco and Dawson. Furthermore, neither Picard, Hsu, Dunn, nor Brunson cure the deficiencies associated with the combination of Greco and Dawson. Neither Picard, Hsu, Dunn, nor Brunson disclose a method or apparatus for notifying a user of a stored message by transmitting an information signal, containing a graphical or an audio representation of the sender or the source of the message, to alert the user of the stored message, as recited in the respective claims 1, 34, 56, and 73. Therefore, rejection of claims 24-30, 33, 47, 49, 68-70, 72, 75-77 is traversed. The Examiner is respectfully requested to reconsider and withdraw his rejection of claims 24-30, 33, 47, 49, 68-70, 72, 75-77.

In the Office Action, dated February 19, 2003, the Examiner rejected claim 1 under 35 U.S.C. 103(a) as being unpatentable over Srinivasan in view of Sakamaki. This rejection is respectfully traversed.

In the February 19, 2003 Office Action, the Examiner stated that Srinivasan discloses all elements of claim 1 except that it fails to teach the caller's home page containing a graphical image of the caller. (See, Office Action, page 13, paragraph 8.1).

The Applicants respectfully point out to the Examiner that Srinivasan does not disclose a method for indicating receipt of a message that includes transmitting an information signal to a communications device associated with an addressee of the message to indicate receipt of the stored message.

Amended claim 1 recites a method for indicating a receipt of a stored message from a source. The method includes generating an information signal that relates the stored message to at least one graphical image associated with the sending source. After generating the information signal, the signal is transmitted to a communications device, associated with the intended recipient of the message. The communications device, in turn, alerts the recipient using the information signal that the message has arrived. Srinivasan, on the other hand, describes method and system for displaying Internet identification on customer equipment premises that allows the user of the system, upon having subscription rights, to see caller ID information and any Internet-related information (such as hyperlinks to caller's homepage) for the incoming call. (See, Col. 2, lines 15-27 and lines 37-45). However, Srinivasan fails to disclose a method for indicating a receipt of a stored message from a sender that includes transmitting an information signal, containing graphical representation of the sender, to message recipient to indicate to the message recipient that a message has been received. In addition, Srinivasan's caller ID manager provides Internet addresses in various formats such as URL, GOPHER address, WAIS address, and/or FTP address. (See, Col. 5, lines 9-20). This is different from the claim 1, where the message recipient receives graphical indication of the stored message. Furthermore, no subscription rights are necessary for use of the method of present claim 1. Thus, the caller ID manager described by Srinivasan cannot be used to indicate to users that the messages are stored.

Sakamaki teaches a web page display system that allows a user, upon appropriate subscription to the system, to introduce herself to other members upon accessing a server containing information about users of the system. (See, Col 4, lines 13-19). Sakamaki does not deal with either message notification or identification. Further, it does not disclose any way of notifying a user of a receipt of a stored message by transmitting an information signal to indicate that the message has been stored. Therefore, neither Srinivasan nor Sakamaki teach or suggest every element of amended claim 1, thus, claim 1 should be allowed.

The combination of Srinivasan and Sakamaki does not realize the invention of the present claim 1. Specifically, the combination of Srinivasan and Sakamaki produces a system that allows a user to of the system, having appropriate subscription rights, to identify a caller by its email address and a web page information contained in the system. The combination fails to teach or suggest a way to indicate a receipt of a stored message to the user by transmitting to the user an information signal, containing graphical representation of a sender of the message, to indicate to the user that a message has been stored.

Therefore, according to MPEP § 2143, the combination of Srinivasan and Sakamaki does not support a prima facie case of obviousness as suggested by the Examiner. The Examiner is respectfully requested to reconsider and withdraw his rejection of claim 1.

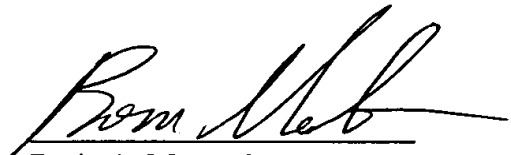
Claims 34, 56, and 73 are patentable over the combination of Srinivasan and Sakamaki for at least the same reasons presented with respect to claim 1 above. Therefore, the rejection of claims 34, 56 and 73 is respectfully traversed. The Examiner is requested to reconsider and withdraw his rejection of claims 34, 56, and 73.

Claims 3, 4, 35, 50-55, 58, and 59 are dependent on respective independent claims 1, 34, and 56. As such, claims 3, 4, 35, 50-55, 58, and 59 are patentable over the combination of Srinivasan and Sakamaki for at least the same reasons presented above with respect to claim 1. Therefore, rejection of claims 3, 4, 35, 50-55, 58, and 59 is traversed. The Examiner is respectfully requested to reconsider and withdraw his rejection of claims 3, 4, 35, 50-55, 58, and 59.

No new matter has been added.

The claims currently presented are proper and definite. Allowance is accordingly in order and respectfully requested. However, should the Examiner deem that further clarification of the record is in order, we invite a telephone call to the Applicants' undersigned attorney to expedite further processing of the application to allowance.

Respectfully submitted,



Boris A. Matvenko  
Reg. No.: 48,165  
GIBBONS, DEL DEO, DOLAN,  
GRIFFINGER & VECCHIONE, P.C  
One Pennsylvania Plaza, 37th Floor  
New York, New York 10119  
(212) 649-4700

Date: July 21, 2003

**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**In the claims**

Please amend the following claims:

1. (amended) A method of indicating a receipt ~~source~~ of a stored message from a source,  
the method comprising:

generating an information signal relating the stored message to at least one graphical  
image associated with ~~said~~the source; ~~and~~

transmitting the information signal to a communications device associated with an  
addressee of the stored message; and

indicating the receipt of the stored message in response to a receipt of the information  
signal by the communications device.

34. (amended) An apparatus for indicating ~~identifying a source~~ a receipt of a stored  
message from a source, the apparatus comprising:

a generator configured to ~~for generating~~ an information signal relating the stored  
message to at least one graphical image associated with ~~said~~the source; ~~and~~

a transmitter configured to ~~for initiating~~ transmission of the information signal to a  
communications device associated with an addressee of the stored message; and

an indicator configured to indicate the receipt of the stored message in response to a  
receipt of the information signal by the communications device.

56. (amended) A computer readable medium including codes for:

(a) directing a network computer to generate an information signal relating a stored  
message to at least one graphical image associated with a source of the stored message; and

(b) directing the network computer to transmit the information signal to a communications device associated with an addressee of the stored message to indicate the receipt of the stored message.

73.(amended) A method of indicating receipt of a stored message from a source, the method comprising:

generating an information signal relating the stored message to at least one of: (i) a graphical image associated with the source; and (ii) a digital representation of a sound waveform associated with the source; ~~and~~

transmitting the information signal to a communications device associated with an addressee of the stored message; and

indicating the receipt of the stored message in response to a receipt of the information signal by the communications device.